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COURT OF APPEAL, FOURTH APPELLATE DISTRICT

DIVISION ONE

STATE OF CALIFORNIA

THE PEOPLE,

Plaintiff and Respondent,

v.

CHRISTOPHER ROSSMILLER,

Defendant and Appellant.

D039400

(Super. Ct. No. SCE216515)

APPEAL from a judgment of the Superior Court of San Diego County, Herbert J. Exarhos, Judge. Affirmed.

Christopher Rossmiller pleaded guilty to unlawfully taking the vehicle of another (Veh. Code, § 10851) and admitted having a strike prior (Pen. Code, §§ 667, subd. (b)-(i), 668, 1170.12).¹ The court sentenced him to six years (the upper term doubled) and imposed restitution of \$4,100.

¹ All statutory references are to the Penal Code unless otherwise specified.

Police saw a vehicle driven by Rossmiller fail to stop for a railroad crossing sign. After officers unsuccessfully attempted to stop the vehicle, a chase ensued. Rossmiller crashed the vehicle after he sideswiped a parked vehicle. He attempted to run, but was apprehended by officers.

Appointed appellate counsel has filed a brief setting forth the evidence in the superior court. Counsel presents no argument for reversal but asks this court to review the record for error as mandated by *People v. Wende* (1979) 25 Cal.3d 436. Pursuant to *Anders v. California* (1967) 386 U.S. 738, counsel refers to as possible but not arguable issues whether: (1) defense counsel had a conflict of interest adversely affecting his representation of Rossmiller; (2) the trial court improperly denied Rossmiller's request to continue sentencing due to his medical condition; (3) the trial court properly awarded available custody credits; (4) the probation officer included improper material in his report that prejudiced Rossmiller's right to a fair hearing; (5) the trial court properly calculated and imposed restitution; and (6) Rossmiller knowingly waived his constitutional rights.

We granted Rossmiller permission to file a brief on his own behalf. He has not responded. A review of the entire record pursuant to *People v. Wende, supra*, 25 Cal.3d 436, including the possible issues referred to pursuant to *Anders v. California, supra*, 386 U.S. 738, has disclosed no reasonably arguable appellate issue. Competent counsel has represented Rossmiller on this appeal.

The judgment is affirmed.

HALLER, J.

WE CONCUR:

HUFFMAN, Acting P. J.

McDONALD, J.